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***Facing the depredations and fighting the predators.
Urban Castile and the defence of municipal jurisdiction
in the late Middle Ages***

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FACING THE DEPREDATIONS AND FIGHTING THE PREDATORS. URBAN CASTILE AND THE DEFENCE OF MUNICIPAL JURISDICTION IN THE LATE MIDDLE AGES

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ABSTRACT

The aim of this paper is to analyze one of the most serious threats the Castilian urban world had to face in the fifteenth century, the wrongful seizure of villages, districts and vassals belonging to its jurisdiction. Using the city of Cuenca as a case-study, I will show the diverse forms these usurpations adopted, their protagonists and the answers given by cities and towns to this phenomenon; and I will conclude that they were not a passive field of submission to these illegal seizures but they, as long as they could, acted firmly and with perseverance in the defence of their jurisdiction.*

KEY WORDS

Power, Urban history, Nobility, Institutions, Castile.

CAPITALIA VERBA

Potentia, Urbana historia, Nobilitas, Institutiones, Castella.

On 21st September 1433, Cuenca city council wrote to King John II asking him to appoint a judge to act on

certain causes, conflicts and problems concerning the illegal seizure, occupation and invasion of certain rural districts, municipal jurisdictions and communal lands that some powerful knights and other people of diverse status from various villages of the neighbouring lordships had committed and entered and had occupied and seized in the hills, rural districts and municipal jurisdiction of this city¹.

The more or less temporary, or even permanent, loss of villages, vassals, strongholds and other resources became one of the most serious threats hanging over the fifteenth-century Castilian cities, especially during the reigns of John II and his son, Henry IV. Cuenca was no exception as the political instability during both reigns led to members of the high, medium and even low nobility tried to deprive the royal domain of some of its constituent elements on the basis either of a royal grant or the simple occupation of lands, villages and vassals, and all independently of whether they supported the monarch against the rebels or were aligned with the latter during the various noble uprisings against both John II and Henry IV².

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1. "çiertas cabsas, debates e questiones de algunas tomas e ocupaçiones e inversiones de çiertos terminos, lugares, jurisdicciones e exydos que algunos caualleros sy poderosos e otras personas de diuersos estados e lugares de los sennorios comarcanos auyan fecho e entrado e auyan ocupado e tomado en la sierra e termynos e jurisdiccion desta dicha çibdat". Archivo Municipal de Cuenca (AMC), Libros de Actas (LLAA), legajo (leg.) 188, expediente (exp.) 5, folios (f.) 4r-v.

2. Regarding the problems derived from these usurpations and the anti-seigneurial movements they provoked, there is an ample bibliography, in the first place linked to the monographs devoted to the study of cities and towns. As these would be extremely long to quote here, the reader is referred to the bibliographical appendix in García Fernández, Ernesto. *Gobernar la ciudad en la Edad Media: Oligarquías y elites urbanas en el País Vasco*. Vitoria: Diputación Foral de Álava, 2004.

In referente to these processes and more generally, the following works merit being cited: Valdeón Baroque, Julio. *Los conflictos sociales en el reino de Castilla en los siglos XIV y XV*. Madrid: Siglo XXI de España, 1975; Valdeón Baroque, Julio. "Resistencia antiseñorial en la Castilla medieval", *Señorío y feudalismo en la Península Ibérica (ss. XII-XIX)* (Zaragoza, 11-14 de diciembre de 1989), 4 volumes, Esteban Sarasa Sánchez, Eliseo Serrano Martín, eds. Zaragoza: Institución Fernando el Católico, 1993: II, 319-340; Valdeón Baroque, Julio. "Resistencia y estado moderno en Castilla (1350-1521)", *La Península Ibérica en la era de los descubrimientos 1391-1492. Actas III Jornadas Hispano-Portuguesas de Historia Medieval* (Sevilla, 25-30 de noviembre de 1991), 2 volumes. Sevilla: Junta de Andalucía, 1997: I, 499-514; Cabrera Muñoz, Emilio. "Usurpación de tierras y abusos señoriales en la sierra cordobesa durante los siglos XIV-XV", *Actas del I Congreso de Historia de Andalucía. Andalucía medieval* (Córdoba, diciembre de 1976). Córdoba: Monte de Piedad y Caja de Ahorros, 1978: II, 33-112; Cabrera Muñoz, Emilio. "En torno a las relaciones entre campo y ciudad en la Andalucía bajomedieval", *Las ciudades andaluzas (siglos XIII-XVI)*. Actas del VI Coloquio Internacional de Historia Medieval de Andalucía (Estepona, 1990). Málaga: Universidad de Málaga, 1991: 593-607; Cabrera Muñoz, Emilio. "Problemática de los conflictos antiseñoriales en la España del Sur durante los siglos XIV y XV", *Señorío y feudalismo en la Península Ibérica...*: II, 343-354; Vassberg, David E. *Tierra y sociedad en Castilla. Señores, "poderosos" y campesinos en la España del XVI*. Barcelona: Crítica, 1986 (English version: *Land and Society in Golden Age Castile*. Cambridge: Cambridge University Press, 1984);

In Cuenca, this circumstance was felt especially intensely, firstly because, unlike many other towns, the countryside under its jurisdiction was literally surrounded by seigniorial domains belonging to the kingdom's high nobility. This was especially so in the case of the marquisate of Villena and the Duchy of Medinaceli, and the region's high and middle nobility, represented by the Acuña and Mendozas, and some ten lesser noblemen, anxious to obtain their part of Cuenca's booty. Few towns could claim the dubious honour of having been subjected to such a strong pressure during almost all the century. In the second place, because these wrongful seizures adopted multiple faces, sometimes even endowed with a legal façade, it made the city's fight for survival much more difficult.

Thus, the city of Cuenca is used as a case study for examining these forms of noble pressure and usurping of urban resources, the means the cities had to defend themselves, and their degree of commitment they could show to this defence³.

Franco Silva, Alfonso. "El proceso de señorialización de las tierras palentinas en la Baja Edad Media. El caso del condado de Saldaña", *Fuentes documentales y Edad Media. Actas del II Congreso de Historia de Palencia (Palencia, 27-29 de abril de 1989)*, 2 volumes. Palencia: Diputación Provincial de Palencia, 1990: II, 511-528; Monsalvo Antón, José María. "Paisaje agrario, régimen de aprovechamientos y cambios de propiedad en una aldea de la tierra de Ávila durante el siglo XV. La creación del término redondo de Zapardiel de Serrezuela". *Cuadernos abulenses*, 17 (1992): 11-110; Monsalvo Antón, José María. "Usurpaciones de comunales. Conflicto social y disputa legal en Ávila y su tierra durante la Baja Edad Media. *Historia Agraria*, 24 (2001): 81-121; Monsalvo Antón, José María. "Costumbres y comunales en la tierra medieval de Ávila (observaciones sobre los ámbitos del pastoreo y los argumentos rurales en los conflictos de términos)", *Historia de la propiedad. Costumbre y prescripción. IV Encuentro Interdisciplinar (Salamanca, 25-28 de mayo de 2004)*, Salustiano de Dios, Javier Infante, Ricardo Robledo, Eugenia Torijano, eds. Madrid: Servicio de Estudios del Colegio de Registradores, 2006: 15-70; Díaz Martín, Luis Vicente. "Una delimitación conflictiva en la Soria Medieval". *Aragón la Edad Media (Homenaje a la profesora Carmen Orcástegui Gros)*, XIV-XV/1 (1999): 391-411; Arregui Zamorano, Pilar. *Monarquía y señoríos en la Castilla moderna. Los adelantamientos de Castilla, León y Campos (1474-1643)*. Valladolid: Junta de Castilla y León, 2000; Izquierdo Martín, Jesús. *El rostro de la comunidad. La identidad del campesino en la Castilla del Antiguo Régimen*. Madrid: Consejo Económico y Social de la Comunidad de Madrid, 2001.

With respect to the area embraced in this study (that is, Cuenca and its neighbouring lordships), the next works must be cited: Guerrero Navarrete, Yolanda; Sánchez Benito, José María. *Cuenca en la Baja Edad Media: Un sistema de poder*. Cuenca: Diputación Provincial de Cuenca, 1994; Quintanilla Raso, María Concepción. "Marcos y formas de proyección de la nobleza conquense en su entorno urbano y territorial", *Congreso Internacional de Historia El Tratado de Tordesillas y su época (Setúbal, 2 de junio, Salamanca, 3, 4 de junio, Tordesillas, 5, 6, 7 de junio de 1994)*. Madrid: Sociedad Quinto Centenario del Tratado de Tordesillas, 1995: I, 131-154; Quintanilla Raso, María Concepción. "La implantación de la nobleza y relaciones de poder en la tierra de Cuenca en la Baja Edad Media", *Relaciones de poder en Castilla: el ejemplo de Cuenca*, Joaquín Saúl García Marchante, Ángel Luis López Villaverde, eds. Cuenca: Universidad de Castilla-La Mancha, 1997: 103-132; Quintanilla Raso, María Concepción. "Estructuras y relaciones de poder en la tierra de Cuenca a fines de la Edad Media", *La Península Ibérica en la era de los descubrimientos... I*, 707-736; Sánchez Benito, José María. *Las tierras de Cuenca y Huete en el siglo XIV. Historia económica*. Cuenca: Universidad de Castilla-La Mancha, 1994; Sánchez Benito, José María. "Territorio y conflicto en el ámbito jurisdiccional de Cuenca (época de los Reyes Católicos)". *Espacio. Tiempo y Forma. Historia Medieval*, 9 (1996): 89-119; Jara Fuente, José Antonio. *Concejo, poder y élites. La clase dominante de Cuenca en el siglo XV*. Madrid: Consejo Superior de Investigaciones Científicas, 2000; Jara Fuente, José Antonio. "'Que memoria de onbre non es en contrario'. Usurpación de tierras y manipulación del pasado en la Castilla urbana del siglo XV". *Studia Historica. Historia Medieval*, 20-21 (2002-2003): 73-104.

3. Cuenca is to the east-southeast of Madrid. During the fifteenth century, it shared the right to be represented in Parliament alongside the other sixteen royal cities. This fact must not lead us to overestimate its significance. Cuenca was a second rank, medium to small city, with a population of 4,000 to 5,000 at that time.



1. The relationship between the city and its political environment: the defence of the royal domain

Beyond Cuenca's inflamed defence of its jurisdiction over its rural hinterland there was much more than the simple desire not to be deprived of a part of its big rural district⁴. As in the rest of European towns, the relationship between the town and its countryside was built on the basis of an interdependence that required a careful balance between the elements in the equation. On one hand, Cuenca's food supply depended completely on its countryside and, at times of general scarcity (something that happened in numerous occasions during the fifteenth century), the villages in that hinterland also depended on the town finding enough food beyond its rural district. On the other hand, the well-known cloth industry of the town, the centre of Cuenca's craft activity, depended on a constant supply of wool. Moreover, the urban elites, who owned large livestock flocks —destined not only to the production of wool but to the urban food consumption—, depended on the abundant pastures that the city's enormous rural district provided⁵. These pastures were leased each year to the highest bidder, included the city's common land pastures and other grazing land, thus supplying the city with healthy profits that also help to explain its importance for the urban economy and politics. In this sense, the analysis of the economic impact of these incomes in the frame of Cuenca's public expenditure policy can be illustrative (see Table 1).

As Table 1 shows, during the period of the noble uprisings against Henry IV, the incomes from these leases were a small fraction of the total expenditure that Cuenca and its lands had to pay between 1466 and 1468. On the contrary, at the end of the century and with the kingdom enjoying a time of peace and Cuenca having obtained the restoration of most of the places occupied by the nobility, the proportion of this income to the city's total expenditure increased to almost a half.

4. Hilario Casado Alonso stresses the importance that the protection of the town's jurisdictional rights had for the city's elites, as their exercise assured them a predominant position inside the community. See Casado Alonso, Hilario. "Las relaciones poder real-ciudades en Castilla en la primera mitad del siglo XIV", *Génesis medieval. Al Estado Moderno. Castilla y Navarra (1250-1370)*, Adéline Rucquoi dir. Valladolid: Ámbito, 1987: 193-215.

5. Emilio Cabrera has observed something quite similar to this in Córdoba. In that area, similar factors stimulated the illegal seizure of portions of the city's rural district: the depopulation of its hinterland turned it into an easy victim for powerful men; the excessive weight of cattle-raising made the usurpations easier because of the difficulty of fighting against the illegal closing of meadows; the interest of Córdoba's aristocracy —the same lineages that held power in the town— in benefiting from these practices and, therefore, their scant inclination to stop these abuses; and the general process of disintegration of Córdoba's hill district and its conversion into seigneurial domains in the later Middle Ages. See Cabrera Muñoz, Emilio, "Usurpación de tierras y abusos señoriales...".

Table 1. The leasing of meadows and other pastures in the framework of Cuenca council budget policy in the 15th century

Administrative year	Annual expenditure	Income from leases	Ratio income/expenditure (%)
1466/1467	185,291	4,000	2.16
1467/1468	258,085	44,600	17.28
1497/1498	772,990	371,250	48.03
1498/1499	507,022	240,020	47.34

As a result, the loss of area in its rural hinterland threatened a fragile balance especially menacing for the city and its elites.

Therefore, one of the measures pursued more energetically in Cuenca—as in the rest of Castilian towns under royal domain—was securing confirmation from the king that it belonged to the royal domain⁶. Thus, on 29th May 1442, John II sent a letter from Tordesillas to Cuenca stating that

kings and princes should be aware that is prudent to retain and keep in them and for them and for the royal crown the cities and towns and villages, especially those that, already pertaining to the royal domain, render or can render a good service... and additionally it is advisable and reasonable for him [the king] to confer graces and rewards on the cities and towns and villages, and on the citizens of his kingdom, especially on those who live and loyally and with goodwill... love to be at his service;⁷

assuring the city that he would never alienate it from the royal domain and annulling all past and future grants of lands and vassals of Cuenca—except the village of Titos and its rural district, bestowed on the royal waiter Pedro de Briones⁸.

6. During the fifteenth century, Castilian cities profited from every session of Parliament to procure from the king the promise of keeping intact the royal domain—that is, of not alienating any of its constituent elements. These demands were presented to the Parliament held at Madrid in 1419 (law number 17), Valladolid in 1420 (6), Burgos in 1430 (16), Zamora in 1432 (20), Valladolid in 1451 (25), Burgos in 1453 (26), Córdoba in 1455 (5), Salamanca in 1465 (18), Ocaña in 1469 (4), Madrigal in 1476 (8) and Toledo in 1480 (86). See *Cortes de los antiguos reinos de León y de Castilla*. Madrid: Real Academia de la Historia, 1866: vol. III-IV. See also Carretero Zamora, Juan M. “Las peticiones particulares de Cortes, fuente para el conocimiento de la vida concejil castellana”, *La ciudad hispánica durante los siglos XIII al XVI. Actas del coloquio celebrado en la Rápida y Sevilla del 14 al 19 de septiembre de 1985*. Madrid: Universidad Complutense, 1985: I [*En la España Medieval*, 6 (1985)], 105-123.

7. “convenible cosa es a los reyes e principes retener e guardar en sy e para sy e para la corona real de sus regnos las sus çibdades e villas e logares, mayormente aquellas de que, seyendo de la corona real, le vyene o puede venyr mucho seruicio... e otrosy le es conveniente e rasonable cosa faser graçias e merçedes a las sus çibdades e villas e logares, e a los sus subditos e naturales, espeçialmente a aquellos que byen e leal e con pura voluntad [...] aman su seruicio”. AMC, LLAA, leg. 197, exp. 1, f. 2r-6v.

8. AMC, LLAA, leg. 197, exp. 1, f. 2r-6v.



Similarly, on 11th June 1469, Henry IV revoked the grants of vassals and lands of Cuenca he had conferred, because they represented a direct attack on the privileges of the city and the laws of the kingdom and ordered the grantees to return them to the city and, if not, the whole kingdom to assist Cuenca to recover them⁹.

The bestowal of places of the royal councils was not uncommon in fifteenth-century Castile but was probably never more important than during the reigns of John II and, above all, his son Henry IV, when cities, towns and villages became pawns in the game between a weak monarchy and a strong nobility keen to increase its wealth. There's no better example of this than the illegal seizure of several villages in Cuenca's rural district of the Sierra by the Duke of Medinaceli and the deal he offered Cuenca in September 1469, when he refused to obey the royal order to return them to the city unless the city persuaded the king to exchange them for other places. The surprised city asked the earl to explain "the reason he had to compel the city to ask for that before our lord the king"¹⁰.

By that time, the weakness of both monarchs had transformed the royal domain in a big market, open to pillage and barter. Thus, it is not surprising that, throughout the century, Cuenca tried to secure royal recognition of its status and opposed the policy of alienations in the hands of the nobility.

2. The wrongful seizures of land in the jurisdiction of Cuenca

Nevertheless, all these questions cannot be understood apart from the protection of Cuenca's jurisdiction since, as a document of 15th July, 1423 points out, these problems were caused by the vassals of the neighbouring lordships entering the city's hill district and causing its depopulation and the emigration of its inhabitants to the neighbouring seigniorial places, where there was shelter for 200 people and more than 1,000 people lived. Furthermore, all this caused an increase in the tax burden falling on each resident who had to pay for the *émigrés*¹¹.

Between this document and another one, dated on 6th October 1478, more than half a century had passed but the situation had scarcely changed. On that date, Juan Osorio was received as the new keeper of the town but only after he agreed to swear by a list of conditions. Among these, the twelfth obliged him to oppose any alienation of vassals, lands and places from Cuenca's rural district and, the fifteenth, not

9. AMC, LLAA, leg. 198, exp. 3, f. 56v-57r; 171v-172v.

10. "la caosa que para ello dise que tiene por que la çibdad oyeyese de suplicar sobre ello al rey nuestro señor". AMC, LLAA, leg. 198, exp. 3, f. 171r-v.

11. The noblemen involved in those illegal activities —as reported by Cuenca— were "don" Enrique, grandson of the marquis of Villena, Diego Hurtado de Mendoza and his son, Luis Hurtado, Sancho de Jaraba, Lope Vázquez de Acuña, and another group of unspecified noblemen. The mentioned vassals came from the villages of Beteta, Uña, Poyatos, Tragacete, Huélamo, La Parrilla and Las Majadas. See AMC, LLAA, leg. 187, exp. 2, f. 17v-18v.

to interfere with the inquiry made by Gerónimo de Valdivieso—which had led to a large restitution of places to the council¹².

The means used by the lords and their vassals to obtain temporarily or permanently hold of districts of the rural districts of Cuenca are examined below.

2.1. *The occupation of Cuenca's rural district*

Not all the illegal entries of the municipal jurisdiction of Cuenca implied a de-traction of places or districts since, many times, it was a simple question of robbery—sometimes disguised as legal fines—committed either by vassals of the neighbouring lordships inside the jurisdiction of Cuenca or by their lords or the latter's knights and squires. It was a very different and more serious thing when the city had to face not these simple robberies but the actions led or incited by the lords of the neighbouring seigniorial estates, as happened in April 1420, in *Fresneda*, a village belonging to Cuenca, where people from the "Obispalía" (a set of villages under the lordship of the bishop of Cuenca) entered the village, knocked the doors of the houses down and stole the cattle. Similarly, in *Villarejo de Pero Esteban*—another village of Cuenca—, was overrun by people from *Villar de Saz de Don Guillén*—a seigniorial village—, where the muleteer of the "regidor"¹³ Ferrand Suárez Gallego suffered the imposition of an illegal fine—that is, he was robbed of some of his possessions¹⁴.

Although these actions must be clearly distinguished from the robberies and other excesses committed by other individuals (even when they could claim a legal title to the stolen property)¹⁵ or by the nobility in the context of the uprisings

12. AMC, LLAA, leg. 200, exp. 3, f. 9r-v; 10v-12r. In fact, the usurpation of rural districts was a generalized phenomenon in fifteenth-century Castile. Many times, the cities urged the kings to act firmly against these illegal seizures and complained about the ineffectiveness of the royal justice, its slowness and the failure to execute the sentences according the restitution of the seized districts. The cities' representatives took these claims to Parliament in numerous occasions: thus, in the Parliament held in Palenzuela in 1425 (law 32), Zamora in 1432 (12), Madrid in 1433 (9), Madrid in 1435 (15), Toledo in 1436 (25), Madrigal in 1438 (laws 22 and 54), Valladolid in 1451 (28), Salamanca in 1465 (15) and Toledo in 1480 (whose law 82 enacted a new and brief judicial procedure that speeded up those restitutions). See *Cortes de los antiguos reinos...*, vols. III-IV.

13. In most Castilian towns in the fifteenth century, the institutions of urban government followed a common pattern. On top of the institutional power apparatus were the "regidores", usually the most conspicuous and powerful citizens of the town, appointed by the king to serve this office for life. During the fifteenth century, most, if not all, of these officers managed to privatize the offices inside their lineages, thus transforming an office for life into a hereditary one.

14. AMC, LLAA, leg. 185, exp. 5, f. 15v-16r.

15. On 13th March 1436, the city complained to Lope Vázquez de Acuña about the robberies committed by his vassals inside Cuenca's jurisdiction and especially in the villages of Valera de Suso—where they had kidnapped a woman—and La Parra and Valera de Yuso—where, beside stealing cattle, they also took the livestock that the "caballeros de la sierra" had used as security to take it to graze illegally on Cuenca's land (AMC, LLAA, leg. 198, exp. 3, f. 62v).

There were four "caballeros de la sierra" or mounted guards of the town's jurisdiction who, together with two assistants, were commissioned to control the use of the city's rural district.



against John II, Henry IV and Isabella I¹⁶, they must be carefully analysed because, sometimes, above all in the periods of peace, these actions could not be partially nor totally explained as the warlike acts and retaliation common to any armed conflict. These actions took place in specific areas of Cuenca's jurisdiction in order to seize them from the city or to attract their population to the seigniorial villages. This objective could be achieved by bringing pressure on Cuenca's villagers and causing high levels of instability inside the lands of the royal domain, easily contrasted with the security and peace enjoyed in the near lordships.

Perhaps this was what Diego Hurtado de Mendoza planned in April 1428, when he entered the district of Alcantud and seized Pero Ferrández de Calahorra, a royal crossbowman and citizen of Cuenca who was collecting the "martiniega" and "fore-ro" in the village¹⁷. Alcantud, located in the district of Sierra, would be one of the most sought-after places in Cuenca, it being occupied by several members of the nobility between 1467 and 1479.

Nevertheless, this strategy is more clearly observed in another document dated 5th July 1449. On this occasion, Cuenca wrote to Diego Hurtado with a formal protest because he had illegally entered the village of La Parrilla, fined its villagers and robbed their livestock, and because he kept the closed river Júcar to Cuenca, thus preventing the city from sending timber downriver to Valencia¹⁸. If the desired places could not be detracted from the jurisdiction of the city, permanent robbery and siege were valid alternatives for achieving the objectives. In fact, in December 1468, Cuenca, in its name and on behalf of the Santa Hermandad of the province of Cuenca, wrote to Alvaro Carrillo protesting against the occupations and robberies perpetrated by his men in the village of Armallones, pointing out that due to the

16. This can be observed throughout the period under study. The following examples from the noble rising against Henry IV in the mid 1460s will be enough to illustrate this point. Those committyt by Pedro de Peralta, lord of La Puebla, in 1465 and Juan de la Panda (who had wrongfully occupied the Torre del Aceite, a small tower near Cuenca), or by the shrewd Gutierre Díaz de Sandoval. The latter, in May 1465, after paying 32 sheep and 27 lambs for the "servicio y montazgo" (a royal tax on livestock owners) in his village of La Ventosa, and when the tax collectors had taken the animals to the district of Villar de Olalla, a village of Cuenca, had ordered his steward to recover (steal) the livestock. Thus, Gutierre fulfilled his fiscal obligations without damaging his wealth. Other examples are the robberies committed in 1467 by Lope Vázquez de Acuña and Alvaro de Mendoza, or by Alvaro Carrillo who, in 1468, from his stronghold in Hocentejo, pillaged the villages in the district of Sierra, aiding the Duke of Medinaceli to occupy them. A final example is the robberies committed by Pero Carrillo de Albornoz in February 1469, when he ordered his vassals to go to the village of Villanueva del Alcorón, a place of Cuenca, to take the villagers' livestock because they had refused to send him 100 "fanegas" of wheat (approximately 4,320 kgs.) to the village of Beteta and another 15 "fanegas" (approximately 648 kgs.) to his castle in Alcantud. This was despite him being in the king's service and not in the files of the rebel party, was all *gratia et amore* and, consequently, an act of simple extortion (AMC, LLAA, leg. 197, exp. 3, f. 29v-30r; leg. 197, exp. 4, f. 51r-v; leg. 198, exp. 1, f. 19r; leg. 198, exp. 2, f. 52r-v; leg. 198, exp. 3, f. 8r, 10r).

17. AMC, LLAA, leg. 187, exp. 3, f. 58r-v.

The "martiniega" was a duty paid to the monarch by his subjects in recognition of their subjection; in the later Middle Ages, the money thus collected was usually granted to the nobility. The "forero" was a duty paid by the villagers of Cuenca in recognition of their subjection to the city.

18. AMC, LLAA, leg. 191, exp. 6, f. 81r.

reiteration of these actions, the village ran the risk of losing all its inhabitants¹⁹. Alvaro Carrillo was pillaging Cuenca's rural district in the northern sector of the district of the Sierra from the tower of Alcantud, which he had wrongfully seized from the city. Alvaro Carrillo served or was allied to the Duke of Medinaceli since, over the next months and years, this village became the spearhead for the Duke's ambitions over the district of the Sierra. Thus, in 1469, Cuenca was informed that the Duke of Medinaceli had decided to garrison the village and to use this post and troops to enter the district of the Sierra. In September of that year, the Duke conquered the castle of Arbeteta, the key to the defence of the area,²⁰.

Coinciding with these wrongful seizures and entries, other members of the regional nobility, all of them on the king's side and supporting the city in its conflict with the rebels, seizing some places under the pretext of protecting them from the rebels. Thus, in September 1469, shortly after the occupation of Arbeteta by the Duke of Medinaceli, Pero Carrillo de Albornoz, lord of Torralba and Beteta, entered and occupied the village of Cañizares. In October 1469, Íñigo López de Mendoza, commander of the Order of Santiago, appropriated the village of Buenache, and in 1479, Lope Vázquez de Acuña took the villages in the area known as Val de Viana, which he still controlled in 1483, after a long and unfinished judicial process²¹.

However, it was not essential to have seized a place to obtain some benefit from it. On 20th July 1479, Pero Pérez, from Uña, a village belonging to Juan Hurtado de Mendoza, lord of Cañete and warden of the city of Cuenca, acting on behalf of his village, appeared before Cuenca's city council and offered to pay the 2,000 "maravedis"²² of the annual rent paid by the villagers of Uña for the use of a piece of land known as La Mogorreta in the rural district of the Sierra. The "regidores" of the city refused to accept the payment or recognize the rent. In fact, as many other noblemen did during the uprisings against Henry IV, Juan Hurtado de Mendoza had exploited this situation, occupied certain places of Cuenca's jurisdiction and when forced to return those places, he invented a fictitious rent to give an appearance of legality, although it was a complete fraud²³. A similar strategy was used by Pero Carrillo de Albornoz to disguise his occupation of the villages of Cañizares, Fuertescusa and Alcantud, although in this case, it was the villagers who had to pay him for the use of their own land. He went even further besides, selling a piece of land from Cuenca's jurisdiction to his vassals in Beteta for the sum of 25,000 "maravedis and after returning the places, he forced the leasing of the "alcabalas" and "tercias" of these villages together with the ones taxing his own estates so that, according to Cuenca, he was pursuing the impoverishment and depopulation of these places where he had some inheritance that if depopulated would allow him

19. AMC, LLAA, leg. 198, exp. 2, f. 62r.

20. AMC, LLAA, leg. 198, exp. 2, f. 68r-v; leg. 198, exp. 3, f. 2r, 71v, 70r.

21. AMC, LLAA, leg. 198, exp. 3, f. 169r-v, 110v; leg. 201, exp. 1, f. 57v-58r; leg. 201, exp. 2, f. 145r; leg. 204, exp. 3, f. 152r.

22. The maravedi was the coinage used in the Crown of Castile until the end of the reign of Alphonso X, when the monetary unit of the same name was substituted by the Castilian "dobla".

23. AMC, LLAA, leg. 201, exp. 1, f. 63r-v.



to work these districts alone and, perhaps later claim full ownership and even the lordship, and charge these lands part of the "alcabalas" and "tercias" that his vassals had to pay²⁴.

However, there were other means of exploiting the jurisdiction of Cuenca under a legal appearance. In July 1420, Cuenca protested to Diego Hurtado de Mendoza because some of his vassals from Torralba, legal owners of certain estates in Villar de Domingo García, Arrancacepas, Ribagorda, Albalate and Villaseca (villages in the district of Torralba), refused to be taxed by the city. Not surprisingly, Diego Hurtado did not act against his vassals²⁵. On the contrary, two months later, in September 1420, John II sent a letter to Cuenca informing the city that the citizens of Huélamo (a village of the Order of Santiago), Tragacete and Beteta (in the Albornoz estates) had protested to him because, like other neighbouring villages, they had peacefully possessed, "for the last thirty and forty years or longer, so much time that no one could remember a different situation", the right to graze Cuenca's hill area but the city did not respect this²⁶. These villages were falsely claiming the existence of a right, and the use of the positive prescription for time immemorial was only a simple device designed to give a legal veneer to their claim²⁷. John II fell for this and ordered the city to cease all violations of the right under a penalty of 10,000 maravedis. As Diego Hurtado had done, Cuenca did not obey the king's command because, in juridical terms, to do so would have meant recognising that right and vetoing its own options of opposing those entries in the future.

2.2. *The illegal aggregation of limits: the movement of the villages' boundary stones*

Another face of these illegal "pacific" entries was the movement of the boundary stones marking the frontiers between villages—in this case, between Cuenca's villages and the neighbouring estates²⁸. Due to this, throughout the century the coun-

24. AMC, LLAA, leg. 203, exp. 2, f. 286r-v; leg. 204, exp. 3, f. 87v-88r, 144r-v, 145v-146r. See also my work *"Que memoria de onbre non es en contrario..."*.

25. AMC, LLAA, leg. 109, exp. 1, f. 1r-v. Some years later, in the framework of the policy of accords and licences initiated by Cuenca's city council, the vassals of Diego Hurtado (then of his son, Juan Hurtado) agreed to pay a global sum for the right to exploit their estates in the jurisdiction of Cuenca, which meant the right to farm them, to take there the oxen they needed and, in general, to enjoy peacefully the rights inherent to any other owner. As this agreement was reached, in December 1467, at the request of the bishop of Cuenca, it seems that it was given to these villagers for the first time (AMC, LLAA, leg. 198, exp. 1, f. 105v).

26. AMC, LLAA, leg. 1.501, exp. 2, f. 1r-v.

27. Regarding the multiple questions raised by the positive prescription, see Dios, Salustiano de. "Doctrina jurídica castellana sobre adquisición y enajenación de los bienes de las ciudades (1480-1640)", *Historia de la propiedad en España. Bienes comunales, pasado y presente*, Salustiano de Dios, Javier Infante, Ricardo Robledo, Eugenia Torijano, eds. Madrid: Centro de Estudios Registrales, 2002.

28. It happened, in November 1432, with the boundary stones delimitating the villages of Cañada del Manzano (a place in Cuenca) and Alarcón (a place of the marquis of Villena); in March 1468, with the boundary stones of Alcantud, moved by people from the neighbouring town of Huete; or, in June 1482,

cil had to dedicate time, efforts and economic resources to replacing the boundary stones illegally moved. Sometimes this could be a very complex task because the limits between certain villages were not at all clear and had to be marked again, always with the agreement of both places involved²⁹.

In these latter cases, it was usual to nominate a commission empowered to replace the boundary stone although, whenever these conflicts turned out to be more complex, the well-known expedient of arbitration appeared as the most suitable mechanism for settling these differences. This was the case of the arbitration agreed, in October 1417, between Cuenca and Albarracín, a village of the kingdom of Aragón, a circumstance that needed the arbitration to be approved by both kings. In May 1420, the arbitration was not yet completed and, some thirty years later, in 1454, the problems between the two towns persisted, obliging them to appoint a new set of arbitrators to deal with a wider task intended to put an end to all the differences between them, not only those related to their respective limits. These pacts were not only the subject of negotiation between towns. Cuenca reached them with other institutions too, such as the proposal in November 1467 by Cuenca to the monastery of Santa María de la Sisa (in Toledo), accepted by the latter, to put an end to the judicial process that confronted them about the boundaries between Cuenca and Valdecabras, a village of the monastery³⁰.

2.3. The illegal “*pacific*” entries of the rural district

On the Sunday, 7th January 1442, Cuenca wrote a letter addressed to the “noble knight” Gómez Carrillo de Albornoz, the son of Alvaro Carrillo de Albornoz, lord of Priego, Torralba and Beteta. In this letter, the city protested at the capture of Ferrando de Ribera and Juan González de Alcalá, Cuenca’s members of Parliament, when they were going to the Parliament called by the king. They had been taken to Gómez Carrillo’s estate of Torralba. The city council asked him to free them or, otherwise, they would liberate their fellow citizens

from your power by all means, *de iure* or *de facto*, as we understood it to be more suitable to the king’s service and to the amendment of the aforesaid injury [...]

with the boundary stones of Arrancacepas and Villar de Domingo García, altered by people from Torralba (a village of Pero Carrillo de Albornoz) and Cañaveras (a village belonging to Pero Carrillo de Mendoza) (AMC, LLAA, leg. 189, exp. 6, f. 24r-v; leg. 198, exp. 2, f. 9r; leg. 203, exp. 2, f. 243r-v).

29. As it occurred in 1419, between Campillo de Altobuey—a village of Cuenca—and Iniesta—a village of the marquisate of Villena—; in 1422, in the case of the villages near to Torralba; in 1460, between Enguñados and Iniesta; in 1469, between Valdecabrilas and Villar del Maestre—this one, a village of the city of Huete—; in 1470, in the case of the villages in the Episcopal district of the Obispalía; and, in 1482, once again in the case of the villages bordering Torralba.

See AMC, LLAA, leg. 185, exp. 4, f. 10v; leg. 186, exp. 3, f. 28v; leg. 195, exp. 1, f. 2v; leg. 198, exp. 3, f. 8r; leg. 198, exp. 4, f. 3r; leg. 203, exp. 2, f. 275r.

30. AMC, LLAA, leg. 185, exp. 1, f. 18v-19r; leg. 185, exp. 6, f. 20v-21r; leg. 192, exp. 4, f. 117v; leg. 198, exp. 1, f. 99r; leg. 198, exp. 2, f. 3v.

and additionally, to complain and sue you before the aforesaid lord the king [...] and if because or by reason of the things aforesaid, any disturbance took place, and deaths and wounds, and robberies and any other evil and damage occurred, that you, the aforesaid Gomes Carrillo, with all your wealth, be responsible and obliged for all that³¹.

In short, this was the attitude that, throughout the century, the city would adopt in the defence of its jurisdiction. The use of the legal means at its disposal, a route that Cuenca always tried to follow, did not close the door to a *de facto* approach to solving these problems, even if this implied resorting to the use of violence. In general, Cuenca city council was able to weigh up the real measure of its strength, never running risks in the face of those noblemen whose power, at a given moment, was greater.

In this sense, Cuenca was fully conscience of the methods adopted to usurp its jurisdiction that it had to face and the range of possible answers it disposed of to solve these problems³².

One of the most common forms of usurpation lay in the inhabitants of a lordship entering their livestock in the jurisdiction of Cuenca to graze the land or clear the land to grow cereals, of which there was always shortage in the region. Given the continuous nature of these events, it cannot be denied that they were known about and even tacitly supported by their lords, although their vassals did not enjoy their armed protection, which gave Cuenca the opportunity to act with a degree of forcefulness in these cases. This does not imply that Cuenca always resorted to a *de facto* policy but that the legal means at its disposal even allowed it to summon the urban militia to expel these intruders and their animals from its rural district. Cuenca followed this policy many times during the fifteenth century, as in May and July 1423, when the city council ordered the illegal crops sown by people from the neighbouring estates in the hill district of the city to be harvested, the livestock of its citizens taken to graze the stubble and the huts and other constructions built in that area to be pulled down. Moreover, foreseeing a violent response by these people's lords, in June, the city council ordered all citizens between the ages of 18 and 60 to be ready and armed to answer the call of the urban militia³³. In addition, in August, while the city was still involved with those tasks of expulsion and destruction, the reoccupation of the district of Villaverde was ordered. This was an uninhabited place in Cuenca hence destined to pasture, recovered by the symbolic expedient of

31. "de vuestro poder por todas las vías, otrosy de derecho como fecho, segunt entendiéremos que es complidero a servíçio del dicho sennor rrey e a reparo de la dicha injuria [...] e más, de nos quexar e querellar de vos al dicho sennor rrey [...] e si por causa e rasón de los sobre dicho, algunos escándalos se recreçieren, e muertes e feridas, e robos e males e dannos se recreçieren, que vos, el dicho Gomes Carrillo, con vuestros bienes, seades a todo ello tenido e obligado". AMC, LLAA, leg. 190, exp. 6, f. 20v-21r.

32. These problems are discussed in Jara Fuente, José Antonio, "*Que memoria de onbre non es en contrario...*".

33. AMC, LLAA, leg. 187, exp. 2, f. 1r-v, 10r, 11r-v. The first notice concerning the destruction of these illegal crops is dated October 1417 (AMC, LLAA, leg. 185, exp. 2, f. 4r).

ordering the citizens of Cuenca and its rural district to enter Villaverde with their herds to graze there³⁴.

A few years later, in the summer of 1431, nothing had changed and the answer given by Cuenca to illegal sowing in its jurisdiction was still the same as in previous years, to harvest or destroy, when they were not sure of being able to harvest what others had sowed peacefully. This was an advantageous policy for Cuenca, as that very summer would demonstrate. The resolute opposition to illegal sowings was a clear message of the city's intention to defend its jurisdiction³⁵, and the harvest or destruction of the crops stressed this line while it was also a hard blow for the offenders³⁶, all the more so bearing in mind that most of the time, the region did produce enough cereals to cover local needs and to reserve a part of the crops as the next season's seed, and that in many years the region had to import the cereal from other areas, or risk famine. These problems affected Cuenca and the neighbouring villages equally.

Nevertheless, in that summer of 1431 something would change. On Tuesday, 31st of July, the town council ordered Juan Martínez del Villar, Cuenca's procurator, to march to the hill district to destroy the illegal crops. When he was there, on the morning of the 8th of August, in the sector entered by people from Huélamo, they offered to pay Cuenca ten "cahíces" of wheat in exchange for all the cereal they had sown there, while at the same time, recognising the jurisdiction of the city over that place³⁷. Juan Martínez agreed. In fact, Cuenca obtained much through this. One of its most important concerns among the authorities was that these illegal entries could be consolidated in the course of the time, generating for the vassals of the nobility and their lords the appearance of a right over these districts that they could use before the Audience and Chancellery or the king in order to claim for the property of and the jurisdiction over these places. But, in the first place, the agreement with Huélamo avoided this possibility because these people had recognized the illegal nature of their possession. A second advantage was that it meant that Cuenca would receive part of the production thus helping to supply the city especially in times of shortage. And finally, this policy helped to establish elementary links of good neighbourliness, even if they were still quite weak. Thus, Cuenca obtained from these agreements more advantages than disadvantages. In fact, the city assumed that

34. AMC, LLAA, leg. 187, exp. 2, f. 26r-27r.

35. It did the same, in similar circumstances, in July 1420. Then, Cuenca not only destroyed the crops sowed in the Vado de la Muñeca by people from Valdemorillo but it even arrested some of the offenders, only accepting to release them on condition of being returned to Cuenca whenever the city demanded their presence —presumably to judge them—, under a penalty of 30 "cahíces" of cereal —half of them wheat and half rye— (AMC, LLAA, leg. 81, exp. 1, f. 1r).

36. A document of 23rd July 1482, gives us an idea of the extent and price these crops could reach. On that date, Cuenca denounced that people from Torralba had sowed in its hill district 400 "almudes" of cereal weighing some 80,000 "maravedis". Another document, of 11th March 1486, informs us of these crops' value for Cuenca. This time, the city gave licence to people from Poyatos, Uña, Tragacete and Las Majadas to sow in its hill district for the next two years, in exchange for 10,000 "maravedis" (AMC, LLAA, leg. 203, exp. 2, f. 273v-274r; leg. 208, exp. 1, f. 33r-v).

37. AMC, LLAA, leg. 187, exp. 5, f. 31r-32r.



a stricter policy was not a real solution since that would not stop the nobles' vassals entering its land³⁸. An agreement, based on the conditions imposed by Cuenca, was a more elegant and scarcely onerous solution to its problems, given that the city possessed a big enough rural district where these illegal sowings could coexist with livestock farming, the basis of its textile industry. Thus, over the following years, Cuenca signed similar agreements with other villages³⁹.

Although these agreements did not encourage the illegal entries of the jurisdiction of Cuenca, because of the high price they entailed, it did not reduce their intensity either, especially during the century's greatest periods of upheaval. Thus, during the noble uprising of the sixties, invasions of Cuenca's rural district took place but without either of the parties involved seeming to be interested in reaching agreement. Thus, in March and May 1467, the town council ordered the mounted guards of the rural district and their assistants to arrest everyone who had invaded the hill district to sow without a licence from the council, to seize their oxen, and bring them to Cuenca to be judged. In June 1482, they repeated the order, specifying in this occasion that the crops should be harvested and kept until the justice decided about it. In 1482, Cuenca already had sentences ordering the restitution of districts to the city and it used these to continue with this punitive policy⁴⁰. Nevertheless, pacts were still agreed whenever the integrity of Cuenca's jurisdiction seemed not to be in danger⁴¹. The threat of destruction of the crops was even used to make certain towns and villages, unwilling to submit to Cuenca's will, more receptive to an agreement⁴².

A similar line of action was adopted by the city in the face of the illegal entry of livestock to graze its pastures. Cuenca's rural district was a big and rich in pastures, open to free use by the citizens of the city and the rural district, except for the nine weeks in the summer, when the access was charged to the pastures, and the meadows, annually awarded to the highest bidder. Of course, outsiders did not

38. On 21st September 1433, Cuenca addresses a letter to John II complaining about the same things; and, on 12th November 1437, it sent again the urban militia to put an end to the illegal sowings inside its jurisdiction (AMC, LLAA, leg. 188, exp. 5, f. 4r-v; leg. 189, exp. 6, f. 23v).

39. Pacts such as the one signed in 1455 with vassals of Diego Hurtado de Mendoza (although in 1467 they still owed the accorded rent to Cuenca); the agreement reached with citizens of Priego in March 1467, obliging them to pay Cuenca 87 "fanegas" of wheat, 2 "fanegas" of barley and 4 "fanegas" of weed; or the grant bestowed in July 1482 when, during the initial stage of restitution of lands, which had properly begun in 1480, and to reward the efforts made by the town keeper's lieutenant to restore the jurisdiction of the city, he was accorded 5,000 "maravedis" to be paid on the conventions agreed concerning the illegal sowings (AMC, LLAA, leg. 198, exp. 1, f. 24v, 11r; leg. 203, exp. 2, f. 272v).

40. AMC, LLAA, leg. 198, exp. 1, f. 15v, 41v; leg. 203, exp. 2, f. 247r, 253v-254r.

41. On 15th July 1482, the citizens of Huélamo, a village of the Order of Santiago, were obliged to pay Cuenca 8,000 "maravedis" and a stout calf for all the cereal sown that year in the hill district and other places under Cuenca's jurisdiction (AMC, LLAA, leg. 203, exp. 2, f. 272r).

42. On 14th August 1482, Cuenca council wrote to the village of Beteta complaining about certain entries of livestock and some sowing in its jurisdiction, warning them of the consequences of their attitude and informing them that other seigneurial villages, such as those belonging to Juan Hurtado, had finally agreed to pay Cuenca to avoid the destruction of their crops (AMC, LLAA, leg. 203, exp. 2, f. 286r-v).

enjoy the right to use these resources unless they paid⁴³. And pay they did indeed⁴⁴. The only problem was that many times these district councils used the conflicts for the boundaries with Cuenca or wrongful entry into areas in Cuenca's lands district to take their cattle there. This way, they extended the types of the illegal use of Cuenca's jurisdiction, and even tried to justify their conduct by resort to a legal ruse, as Pero Carrillo de Albornoz did in February 1467, when he requested Cuenca to allow his vassals from Hocentejo to take their livestock into its jurisdiction a favour to him, but also because he claimed it was an ancient tradition, and, thus, a right⁴⁵.

Few offenders escaped from these fines. Thus, in March 1465, a brother of the Order of Santiago complained because his cattle had been fined⁴⁶. And, on 29th September 1467, the town council approved an ordinance about the customary rights the mounted guards of the town's jurisdiction and their assistants could collect for their work. This ordinance, among other things, set a sort of a variable fee to fine illegal entries into the rural district (see Table II) ⁴⁷.

43. On the contrary, if their herds grazed the pastures without having paid for the appropriate licence, the municipal officers charged with the control of these type of activities, the mounted guards and their assistants, intervened seizing the livestock, as occurred, in April or at the beginning of May 1420, to Juan Ruiz, from Molina, who was fined with 150 heads, on 18th May 1428, when the town council decided to seize all the cattle that had entered the hill district during the close season, or in 1479, during the close season of the hill district, when Domingo Jimeno, from Albarracín in the Kingdom of Aragón, was fined with 160 rams (AMC, LLAA, leg. 185, exp. 6, f. 6r-v; leg. 187, exp. 3, f. 60v-61r; leg. 201, exp. 2, f. 84r-85r).

44. On 19th May 1433, Huélamo agreed to pay 1,300 "maravedis" for its livestock to graze on Cuenca's pastures and another 16,000 "maravedis" for the lease, for 5 years, of the closed meadows of Cañada del Moscajo, Fuente del Piquillo and Valduérganas. On 30th April 1434, Uña accorded to pay Cuenca 900 "maravedis" for the use of its pastures, and on the 5th of May, Domingo Jiménez de Masegosa, citizen of Beteta and on behalf of this village, agreed to a payment of 186 "maravedis" for access to the hill pastures for 1,000 sheep and goats, 24 cows and 8 mares. However, Cuenca did not always charge for these activities since we know that, on 21st November 1436, it gave licence to Sancho Martínez, caretaker of the sanctuary of Santa María del Val, to take his cattle to the hill district for free, while in May of the same year the village of Huélamo was charged 1,500 "maravedis" for the same concept. In 1440, the citizens of Poyatos took the lease on the closed meadow at Pared del Cuervo for 9 years and a total payment of 90,000 "maravedis". Finally, the success of this line of action was achieved and can be measured by the pacts reached in 1441, when the villages of Huélamo, Poyatos, Tragacete and Uña agreed to pay 1,500, 4,000, 600 and 900 "maravedis", respectively, for access for their cattle to the hill district. Huélamo, which had paid 1,500 "maravedis" in 1441, was paying 4,000 "maravedis" in 1467 for the same licence. (AMC, LLAA, leg. 188, exp. 4, f. 32r-v; leg. 188, exp. 5, f. 16r-v; leg. 189, exp. 1, f. 25r-v; leg. 189, exp. 2, f. 63v-64r; leg. 190, exp. 2, f. 5v-6v; leg. 190, exp. 3, f. 10r-v; leg. 198, exp. 1, f. 13r-v).

45. AMC, LLAA, leg. 198, exp. 1, f. 12r.

46. AMC, LLAA, leg. 197, exp. 2, f. 40v.

47. AMC, LLAA, leg. 198, exp. 1, f. 52v-54r.

Table II. Ordinance of the 29th of September of 1467

Ordinance chapters	Livestock origin	Other considerations	Penalty
Chapter III	Huete		Expulsion
	Marquisate of Villena or any other place		Expulsion + the seizure of 5* or 10** head
Chapter IV		A citizen of Cuenca accompanying the livestock from Huete	120 "maravedis" or a mare or cow if this was the composition of the herd
Chapter XI	Moya or Alarcón		Seizing of 5* or 10** head
		A citizen of Cuenca accompanying this livestock	120 "maravedis"
Chapter XII		Livestock entering the hill district during the closed season and without licence	Expulsion + the seizure of 5* or 10** head
* Fine for entries in daylight. ** Fine for entries at night.			

This kind of scale for illegal entry of livestock in the jurisdiction of Cuenca was complimented by another ordinance, approved some months later, on 22nd January 1468, to punish the illegal entry of livestock into the Cabeza Molina estate. On this occasion, the town council established fines of 5 or 10 "maravedis" for the entry of cows, oxen, horses and mares, during daylight or at night, respectively, and 5 or 10 "reales" if the herd was sheep, goats, rams and other "minor" animals, and the entry was by day or night, respectively⁴⁸.

As can be noted, in these cases even the citizens of Cuenca aiding these entries was fined. This was the only means to avoid the picaresque of taking someone else's animals to graze as if they were one's own. However, Cuenca, not entirely satisfied with these measures, tried to maximize this policy by involving all the villages under its jurisdiction in the control of the rural district and threatening stiff punishment for those village councils reluctant to participate in those tasks. Thus, on 1st June 1482, Cuenca's town council ordered the villages in its jurisdiction to expel all

48. AMC, LLAA, leg. 198, exp. 2, f. 7v.

foreign livestock from its jurisdiction, under a penalty of 5,000 “maravedis” if they failed to obey the order; and it reiterated the order of 3rd June 1482, extending it to the mounted guards and their assistants and ordering the town crier to proclaim it for general knowledge⁴⁹. This policy was put into execution despite, and in parallel to, the accords signed by Cuenca and other neighbouring villages in order to open and share their respective rural districts. These pacts started being formalized soon after the promulgation of the Ordinances of the Parliament of Toledo (1482), as illustrated by the convention reached between Cuenca and Poyatos, Tragacete and Uña (villages belonging to Juan Hurtado de Mendoza), in 1482, allowing their cattle to graze their pastures, except for the closed meadows, “ejidos” (communal lands), the closed season of the nine weeks and the cultivated fields⁵⁰.

There were other reasons for place fines besides imposed illegal sowing and grazing. In May 1467, Rodrigo Manrique, marshal of Castile, complained of Cuenca’s city council that it prevented his vassals cutting wood and other things, and he alleged that it contradicted ancient traditions⁵¹. Nevertheless, pacts reached even this kind of conflicts, as Huélamo did in 1443 to obtain a licence for cutting wood and timber⁵².

3. The defence of the municipal jurisdiction

In previous pages, we have analysed the different modalities of wrongful seizures and abusive uses of Cuenca’s rural district. The following pages contain an in-depth analysis the measures adopted by the city in defence of its jurisdiction.

3.1. *Concords and arbitrations*

Besides conflicts provoked by the illegitimate attitudes of the nobility and their vassals, there were also natural conflicts that derived from proximity between neighbours. These conflicts were the result of deficient delimitation of boundaries or disputes about their limits, as explained above, but, in general, these were not a serious menace to the authorities and power of the respective towns and villages. Besides, these problems were usually solved peacefully, generally through concords or pacts that, as well as resolving specific questions, helped to establish friendly and

49. AMC, LLAA, leg. 203, exp. 2, f. 239v, 240r, 241r.

50. AMC, LLAA, leg. 203, exp. 2, f. 240r-v. A similar case is analysed in Carmona Ruiz, María Antonia. “Los aprovechamientos interconcejiles de tierras comunales. La hermandad de pastos entre Marchena, Morón, Arahál y La Puebla de Cazalla de 1501”, *Marchena bajo los Ponce de León: formación y consolidación del señorío (siglos XIII-XVI)*, *Actas de las II Jornadas sobre historia de Marchena (Marchena, 8-11 de octubre de 1996)*. Marchena: Ayuntamiento de Marchena, 1997: 123-140.

51. AMC, LLAA, leg. 198, exp. 1, f. 46v.

52. AMC, LLAA, leg. 190, exp. 8, f. 10v.

good-neighbourly relationships and to build mechanisms to avoid these and other problems in the future.

For evident reasons, the longest lasting pacts were reached between cities and towns in the royal domain, since they all faced similar problems. The petition to Cuenca for a pact of this nature by Molina town council, on 24th April 1469, epitomizes it when affirming that

although we could complain much of these [offenders], with regret we are paid and with [letters] and paper we are repaired; and our things being in their present situation, it is necessary to resist them by force because, our lords, from the 'Santa Hermandad' only expenses and no solutions have come to us.⁵³

Although the weak monarchy of Henry IV could be accused of the same charges, and, like Molina, Cuenca had suffered cruelly from the depredations of the regional nobility, on this occasion and before agreeing anything with Molina, the city preferred to wait for the results of the General Assembly of the Santa Hermandad held on the following 1st of May⁵⁴.

Nevertheless, agreements with seigniorial towns and villages were not unusual too, and enjoyed the same nature and scope as the others. This was the case of the pact signed between Cuenca and Moya, in 1433, against the illegal entry of livestock into their respective districts⁵⁵. The *concord and brotherhood* convened by Cuenca and Requena, in 1460, not only regulated the simple problems inherent to proximity but also encompassed cooperative procedures for the pursuit of criminals and, very importantly, to fight the powerful noblemen who might act against them in the future, undertaking to help each other against these whether by *de facto* or *de iure* means⁵⁶.

And, due to the fact that Cuenca bordered on Aragon, it should be no surprise that these concords even reaching went beyond Castilian towns, as happened with Albarracín in 1449. Surprisingly, the accord with Albarracín was not requested by Cuenca but by its villages in the district of the Sierra bordering Aragón⁵⁷.

Even when delimiting the boundaries between two municipalities, such as the case in 1460 between Cuenca and Iniesta, a convention covering something more than a mere setting of boundary stones could emerge, regulating questions related to the cutting of timber and wood, livestock grazing and the use of natural and artificial springs and meadows⁵⁸.

53. "aunque mucho nos enbemos quejar de los tales [malhechores, invasores de términos...], con pesar nos fassen pago e con [carta] e papel nos dan remedio; e las cosas, segun estan, es menester quien resista con obra ca, por cierto sennores, del cuerpo general de la Hermandad fasta oy non podemos desir que se nos aya seguido sy non gastos e syn remedio". See AMC, LLAA, leg. 198, exp. 3, f. 34r-v.

54. AMC, LLAA, leg. 198, exp. 3, f. 34r-v.

55. AMC, LLAA, leg. 188, exp. 5, f. 12r-13r.

56. AMC, LLAA, leg. 195, exp. 1, f. 22v, 23v-25r.

57. AMC, LLAA, leg. 191, exp. 6, f. 84v-85r.

58. AMC, LLAA, leg. 195, exp. 1, f. 15v.

Nevertheless, it is evident that behind the conventions reached with seigniorial villages, there were always their lords, eager to benefit from the circumstances affecting the kingdom and the region. Perhaps the most interesting example, given their political weight, is that of the Pacheco family, marquises of Villena and the most powerful lineage of the high nobility, who could be supporters of either the king as his most implacable enemies. Thus, on 13th March 1467, having been defeated after three years of a bitter fighting against the king, the marquis of Villena commanded his villages of the marquisate and of the lordship known as the *Infantado* to make peace with Cuenca⁵⁹. Apart from the general pacification of the kingdom that had just taken place, the marquis' goodwill towards Cuenca was not entirely selfless. In fact, on 17th April 1467, Diego Sánchez, the *Blond*, servant of the marquis, appeared before Cuenca town council demanding the annuity of cereal and wine the king had granted the marquis and established on certain rents, that was guaranteed by the rent and paid from its incomes, an annuity, he claimed, his lords had not been paid since 1464. This was, of course, due to his rebellion against the king, although Diego Sánchez forget to mention this little detail⁶⁰. However, the marquis' petition arrived a few days too late since on 25th March 1467, Henry IV had again decreed the seizure of the rebels' rents and the marquis was, once more, among them —leading them⁶¹. However, the marquis' strategy was crystal clear and, in May 1469, he had the chance to reproduce it, reaching a new accord between his vassals and Cuenca⁶².

On the other hand, this very same pressure exerted by the high nobility over Cuenca and the neighbouring lordships who supported the king, especially by the Duke of Medinaceli on the northern sector and the marquis of Villena on the east-southeast area, forced the adoption of pacts of mutual defence between Cuenca and these lords, such as the one agreed in December of 1468 with Gutierre Díaz de Sandoval, lord of La Ventosa, at his request, granting his vassals the right to take refuge with their livestock in the district of Cuenca whenever they needed it. Another example was the convention signed with Pero Carrillo de Albornoz, lord of Torralba and Beteta, on 3rd March 1470, to resist the attacks of the Duke of Medinaceli⁶³.

It is worth noting the different treatment accorded to certain noblemen, not necessarily in proportion to their power, although this evidently had an influence, but more to the advantages the city could obtain from these relationships. Thus, on 11th July 1423, while ordering the destruction of the cereal sowed in its hill district, the city council ordered the agreed arbitration to continue with Diego Hurtado regarding the illegal entry into the hill district by his vassals from the villages of

59. AMC, LLAA, leg. 198, exp. 1, f. 19v-20r.

60. AMC, LLAA, leg. 198, exp. 1, f. 29v-30r 36r. The marquis enjoyed an annuity of 250 loads of cereal —half wheat and half barley— and 500 pitchers of wine.

61. AMC, LLAA, leg. 198, exp. 1, f. 36r.

62. AMC, LLAA, leg. 198, exp. 3, f. 38r-v.

63. AMC, LLAA, leg. 198, exp. 2, f. 62v; leg. 198, exp. 3, f. 160v-161r.



Poyatos and Uña⁶⁴. Diego Hurtado was the warden of the town, lord of Cañete, high royal hunter and a member of the Royal Council, with numerous supporters in the city⁶⁵ and who was thus worth keeping good terms with because he could be a splendid ally both in the region and the court. Nonetheless, it did not stop the city writing to the king only four days later complaining about the illegal entry by Diego Hurtado and other noblemen's vassals⁶⁶. The inclusion of Diego Hurtado and his vassals on this list of offenders, in the midst of arbitration aimed precisely at solving these differences between the lord of Cañete and the city, was probably due to several reasons. In the first place, it helped to save the rights and privileges of the city, because excluding them from the list of malefactors implied, in practice, excluding them from the king's attention. There was also the loss of the city's legitimacy to file a hypothetical future claim against the warden and his vassals. Besides, if the arbitration did not come to a positive end, the city could find itself in need of royal intervention. In the second place, it helped to put pressure on the Mendozas, whose conduct, in spite of the arbitration, was nevertheless considered illegitimate and was still compared with the behaviour of rest of the offenders. In the third place, it helped to put pressure on the king, forcing him to reach a decision and act, given the large number of noblemen who were invading Cuenca's jurisdiction and, therefore, the king's royal domain. In fact, and as another element of the arbitration mechanism that had to be followed, that same day, the 15th of July, the city informed Diego Hurtado, by letter, of the approval of the arbitrators he had appointed and notified him of the names of those it had designated (both parties nominated two arbitrators)⁶⁷ and, simultaneously, it sent several letters to the other noblemen denounced before the king, complaining about their vassals' entries. The unexpressed aim of these last letters was to channel the demands filed against them onto the same path followed with the Mendozas, that is, arbitration and respect for the city's jurisdiction⁶⁸. This tactic was successful, at least in the case of "don" Enrique de Aragón since almost a week later, on the 23rd of July, he wrote to the city with a proposal for solving their differences by means of arbitration and even naming his arbitrators⁶⁹.

The positive attitude displayed by Diego Hurtado in the solution of the conflict by means of arbitration and the speediness with which he had responded offering to submit their divergences to an identical procedure, indicate not only the city's ability to keep or impose a productive dialogue with the local nobility and also the

64. AMC, LLAA, leg. 187, exp. 2, f. 16v-17r.

65. He had led the faction that, in the previous decade, had fought the party led by another local nobleman, Lope Vázquez de Acuña, lord of Buendía. See AMC, LLAA, leg. 185, exp. 1, f. 7v-8v, 16r-v, 28r-29v, 2r-3v, 5r-7r, 8r-11r, 13v-16r, 20v-22r.

66. AMC, LLAA, leg. 187, exp. 2, f. 17v-18v.

67. AMC, LLAA, leg. 187, exp. 2, f. 20r-v.

68. Specifically, the city wrote to Alvaro de Luna, lord of Escamilla, Lope Vázquez de Acuña, Juan de Verdejo, Alonso Alvarez de Toledo (the latter two, members of the lesser nobility settled in town), and don Enrique, lord of Tragacete and Beteta (AMC, LLAA, leg. 187, exp. 2, f. 18v-19v).

69. AMC, LLAA, leg. 187, exp. 2, f. 21r-v.



regional nobility with interests in the area, but the same willingness among the nobility, in the first quarter of the century, to keep this channel open. This attitude would not last long since the next arbitration (also convened with the warden of the city) took place in July 1449, shortly after the last invasion of Castile by the "infantes" of Aragón, whose party Diego Hurtado had supported. Apparently, this time negotiations did not go smoothly. On one hand, Diego Hurtado vetoed the arbitrator appointed by Cuenca, demanded the nomination of a new one and called for the arbitrators to go to Valdecabras to take the oath of the office. On the other hand, Cuenca, on the 19th of July, agreed to designate a new arbitrator, and did so, but, in exchange, rejected Diego Hurtado's nominee and refused to send its appointee to Valdecabras because it was the seigniorial village of Sancho de Jaraba, another partisan of the "infantes" de Aragón, who had fought against Cuenca⁷⁰. In the absence of other documents, we cannot know how these talks evolved.

3.2. *The restoration of the occupied places*

One of the fields of conflict where the city displayed a higher degree of efficiency or fortune was in the fight against usurpation by its own elites, anxious, as any other member of the nobility (lesser nobility in this case), to take estates for themselves⁷¹. In the first three decades of the fifteenth century and coinciding with a period in which the dominant group was still coming together and had not reach its full cohesion, their favourite strategy was, in a first stage, to take control of the means of production of a given place, either through acquisition of all the estates and other properties in the village or due to, (probably forced) depopulation, then the most powerful man remaining as the only acting proprietor, not necessarily the only owner but the only one effectively exercising his rights, and benefiting from all

70. AMC, LLAA, leg. 191, exp. 6, f. 86r-87r.

71. Nevertheless, the participation of other social groups in these processes must not be underestimated and, thus, the involvement of peasantry must be mentioned, especially the part taken by its upper segment and, in some sense, even by the lower peasantry, the latter being responsible for invading and ploughing common land, as María Asenjo González reminds us in her study "'Labradores ricos': nacimiento de una oligarquía rural en la Segovia del siglo XV", *En la España Medieval. (Estudios dedicados al profesor D. Angel Ferrari Núñez)*, 4/1 (1984): 63-85; Pablo Sánchez León in his monograph *Absolutismo y comunidad. Los orígenes sociales de la guerra de los comuneros de Castilla*. Madrid: Siglo XXI Editores, 1998: 137-145; and, specifically regarding the invasion of common lands, Jerónimo López-Salazar Pérez in his work *Estructuras agrarias y sociedad rural en La Mancha (ss. XVI-XVII)*. Ciudad Real: Instituto de Estudios Manchegos, 1986: 152 and the following pages.

On urban elites, see Casado Alonso, Hilario. "La propiedad rural de la oligarquía burgalesa en el siglo XV". *La ciudad hispánica durante los siglos XIII al XVI...* I [En la España Medieval, 6(1985)]: I, 581-596; Moreno Núñez, José Ignacio. "Los Dávila, linaje de caballeros abulenses. Contribución al estudio de la nobleza castellana en la Baja Edad Media", *En la España Medieval. (Estudios en memoria del Profesor D. Salvador de Moxó)* 3 (1982): 157-172; Sánchez Benito, José María. "Territorio y conflicto..."; and Vera Yagüe, Carlos Manuel. "Los conflictos interjurisdiccionales como factor determinante de la organización espacial: los Arias Dávila frente al concejo de Madrid en el siglo XV", *Organización social del espacio en el Madrid medieval (II). Actas de las VII Jornadas de Historia Medieval de la Asociación Cultural Al-Mudayna*, (noviembre de 1995). Josemi Lorenzo Arriba, ed. Madrid: Asociación Cultural al-Mudayna, 1997: 97-112.



the village's whole resources: fields, meadows, common land, woods and pastures. In a second phase, he would try to transform the place into an enclosure, that is a place closed to collective use by all the inhabitants of the city and its rural district. And, in a third phase, he would attempt to change the enclosure into an estate⁷². In all these cases, Cuenca anticipated these intentions, forcing these people to recognize the public nature of these places, that is, that they pertained to and were under the city's jurisdiction. This was the cases of Juan Ferrández de Varela, "regidor", and the place of Villaverde, in 1419, where he was the only landowner, and Alfón Álvarez de Toledo and his brother, Pero Álvarez de Toledo, both "regidores", and the places of Piqueras and Colliguilla in 1421, and Aldehuela, in 1437, all uninhabited villages⁷³.

However, this was not the only means they could use. Thus, the "regidor" Sancho de Jaraba tried another move, resorting to the shortest way, King John II bestowing the village of Campillo de Altobuey, but with the most determined opposition from the city of Cuenca. In November 1433, shortly after the bestowal was made, the city sent its militia to occupy the village. After a conflictive month, in December, Sancho de Jaraba was forced, in first place, to recognize that the village had never been conferred on him and, in second place, to give the city ten days to complain to the king, before he occupied the village, if the monarch granted him this in the future. All that was under a penalty of 5,000 Aragonese gold "florins", an exorbitant amount of money that would put his fortune, or at least his possessions in the jurisdiction of Cuenca, in peril⁷⁴. It must be noted that Cuenca did not make Sancho de Jaraba renounce the grant, which would have implied a certain recognition that the king could bestow places under the jurisdiction of the city, but the recognise falsely that the grant had never been conferred on him. To allow itself the necessary intellectual and juridical room for manoeuvre, Cuenca, like any other social entity, was ready to manipulate reality, falsifying the past.

In any case, the attentive watchfulness shown by Cuenca's dominant group and its high level of internal coherence, which explains how these controls could be operated not only outside but inside it without causing significant conflicts, explain the fact that there were hardly any new attempts at usurping places in Cuenca's rural district over the following decades and that when they did, on one hand, they did not affect whole villages but small districts inside them and, on the other, they were never successful. This was the case, in the sixties, of "mosén" Diego de Valera, citizen of Cuenca, "doncel" (a member of the junior royal guard) of John II, vassal of King Henry IV and master of ceremonies under the Catholic Monarchs, Isabella I and Ferdinand IV, and, thus, an important personage in the court from the times of Henry IV. He possessed an estate on land known as La Grillera that, as he

72. See Jara Fuente, José Antonio. "Que memoria de onbre non es en contrario..."; Monsalvo Antón, José María. "Paisaje agrario..."; and Clemente Ramos, Julián. "Valdetorres, de dehesa a aldea (1409-1510). Poblamiento, conflicto y poder en la tierra de Medellín". *Studia Historica. Historia Medieval*, 20-21 (2002-2003): 47-72.

73. AMC, LLAA, leg. 185, exp. 4, f. 21r; leg. 186, exp. 1, f. 39v; leg. 189, exp. 5, f. 21v-31v.

74. AMC, LLAA, leg. 188, exp. 5, f. 5r-6r.



stated on 4th September 1460, comprised a house with its fields, pastures, hills and a river enclosure. On 5th September and shortly after the required inquest had taken place, the city council refused to recognize the existence of the river enclosure and ordered fishermen to fish in that place, as a symbol of Cuenca's authority and the non-existence of the river enclosure. As an additional result of the inquiry, the city found that Lope Vázquez de Acuña had also built a river enclosure at Abengozar, and which the city council also declared illegal. Nevertheless, Diego de Valera's intention to build a river enclosure in the district of La Grillera was fought by the city in a long dispute that lasted from the reign of Henry IV to the beginning of the reign of the Catholic Monarchs. Thus, in 1458 Henry IV confirmed the legality of the river enclosure, although Cuenca did not obey the king and, once again, in 1479, the Catholic Monarchs commanded Cuenca to observe it, receiving renewed opposition from the city, which alleged firstly that only Cuenca and its rural district villages could build enclosures (in the latter case only for oxen), which was true, and in second place, that closed meadows could not be built in the vicinity of the city, as established by a 1409 sentence by Ferrant López de Horosco, a royal judge appointed to hear cases especially concerning the seasonal migration of livestock, and Juan Sánchez Cevira, high mayor designated by Juan García de Pineda, keeper of the city of Cuenca, and confirmed in 1477 by Pero Sánchez de Frías, a judge commissioned by the Catholic monarchs to decide on matters of land seizures in the province of Cuenca. It seems that Diego de Valera did not prevail over Cuenca that time⁷⁵.

Martín de Soria, also a citizen of Cuenca, tried to achieve something similar in the district of La Losilla, between the villages of Torrecilla, Zarzuela, Collados, Ribatajadilla and Pajares, a place whose possession he demanded in 1464 and again in 1467, this time supported by two of the four mayors of the city. Both times the city successfully opposed his demands. In 1464, Pedro de Salcedo, keeper of the town, and Henry IV stood behind the city and, in 1467, it prevailed with only its own will⁷⁶.

Such a level of efficiency acquired in the defence of its jurisdiction must not make us think that the city was always successful. On 22nd April 1440, Cuenca wrote to the king notifying him that "doña" María de Alborno, lady of Beteta and Torralba, had died childless and that these villages had belonged to Cuenca until Henry II bestowed them on "don" Alvar García de Alborno, "doña" María's great-grandfather and, given that she left no descendants, asking the king to restore the city's jurisdiction over them. Simultaneously, Cuenca ordered the villages to put guards on their accesses and to wait for the king's decision. Cuenca did not want a nobleman seizing control over some places the city considered its own possessions⁷⁷. Nevertheless, its claim did not succeed and both places would remain in the hands of the nobility.

75. AMC, LLAA, leg. 195, exp. 1, f. 47r, 50r; leg. 201, exp. 1, f. 110v-112r, 59r-62v.

76. AMC, LLAA, leg. 198, exp. 1, f. 38r-40r, 41r-v.

77. AMC, LLAA, leg. 190, exp. 2, f. 1r-v.



Despite this apparent failure, it must be noted that Cuenca had faced a difficult, almost impossible, situation. The city would be more successful in the case of certain places wrongfully seized by members of the high nobility and the middle (regional) nobility during the noble uprisings rebellions Henry IV and in the civil war, after his death, for the succession. It is also true that the city profited from the Catholic Monarch's policy regarding order and good government and the restoration of illegally seized lands to their real owners. These political principles constituted the core of the laws promulgated at the Parliaments held at Madrigal, in 1476, and Toledo, in 1480⁷⁸.

One of the reasons for the control exercised by the nobility over big areas inside Cuenca's jurisdiction from the sixties to the eighties was the existence of a chain of strongholds (castles, towers and fort-churches) scattered over its rural district, especially in the northern sector. Then, it is not surprising that one of the measures adopted in the Parliament held at Toledo in 1480, and more quickly executed was the demolition of these offensive-defensive enclaves. Although the monarchs did not wait until 1480 to begin to impose their will and, on 4th August 1476, once retaken the tower located between Valera de Yuso and Valera de Suso, it was demolished following the instructions from the queen and, on 25th July 1480, the city council, fulfilling those instructions, ordered the demolition of the tower of Cañizares⁷⁹.

Some months earlier, on 3rd April 1476, the city council authorised Diego de Arriaga, a citizen of the town, to take possession of Cuenca's places and vassals in the district of the Sierra, investing him with the right to appoint mayors, bailiffs and "regidores" in these villages⁸⁰. These designations were needed to restore these village's governmental institutions but they also represented the best propaganda Cuenca could produce since these appointments and officials represented the closest symbol of these places' subjection to its jurisdiction, as illustrated by the power given on 11th August 1480, authorizing the removal of gallows, revoking officers of justice, designating mayors and "regidores" and anything else that could be needed⁸¹. Thus, on 2nd December 1476, Juan del Amo, representing Cuenca, took possession of the village of Zahorejas, recovered from the Duke of Medinaceli⁸². At an unknown moment in 1479, the city, with a brilliant coup, retrieved *manu militari* the possession of the villages of the so-called Val de Viana, seized by Lope Vázquez

78. Regarding the laws decreed in the Parliament of Toledo in 1480, see law number 82 of that Parliament in *Cortes de los antiguos reinos...*, vol. IV; and Sánchez León, Pablo. *Absolutismo y comunidad...* 137-145; Arregui Zamorano, Pilar. *Monarquía y señoríos en la Castilla moderna...* 280; Vassberg, David E. *Tierra y sociedad en Castilla...* 109-111; and Lunenfeld, Martin. *Keepers of the City. The Corregidores of Isabella I of Castile (1474-1504)*. Cambridge-New York: Cambridge University Press, 1987: 55.

79. AMC, LLAA, leg. 200, exp. 2, f. 1v-2v; leg. 201, exp. 3, f. 14v-15r.

80. AMC, LLAA, leg. 200, exp. 2, f. 33v-34r.

81. AMC, LLAA, leg. 201, exp. 3, f. 19r-20r. When the Duke of Medinaceli occupied the villages of the district of the Sierra, the first thing his vassals did was to impose the most symbolic and effective measure representing the change of authority: the erection of a new gallows (AMC, LLAA, leg. 198, exp. 3, f. 156v-157v).

82. AMC, LLAA, leg. 200, exp. 3, f. 62r-v.

de Acuña, despite both parties having submitted their differences to arbitration by the prior of Uclés. With the prospect of a possible negative arbitral sentence —as happened in the end—, physical control of these places looked vital⁸³. Finally, on 11th September 1480, Alcantud and Palomares, usurped by Pero Carrillo de Albornoz, were returned to the city, although he occupied them again a few days later⁸⁴. The villages of the district of the Sierra would still be a problem for a long time, as shown by claims filed in the summer of 1483, when the city feared a worsening of the occupations in this district⁸⁵.

The municipal authorities always sought the king's ratification of its decisions and the protection he owed the citizens of Cuenca and its rural district as loyal vassals, and, in this sense, they appealed many times to the king for the appointment of royal judges who, after the corresponding inquest, returned the wrongfully seized villages and districts to Cuenca. Thus, in June 1434, while Gutier Muñiz was carrying out an inquiry, the city asked the king to extend his initial four-month mandate by for another 80 days. In February 1465, Henry IV commissioned Pero Carrillo de Mendoza, lord of Cañaveras, to carry out a similar inquiry. In April 1469, Pedro de Barrientos, keeper of the town and lord of Torralba, appointed Gonzalo Quijada, a citizen of Cuenca, high mayor and ordered him to carry out another inquiry in the rural district and, in May, he commissioned Diego de Albornoz, "regidor" of Cuenca, to do the same. Finally, in 1477, Isabella I designated doctor Pero Sánchez de Frías as a commissioned judge with the specific purpose of returning those villages still occupied to Cuenca. From the Parliament of Toledo of 1480 on, these commissions became common⁸⁶.

3.3. *The policy of reprisals*

The city council also adopted other lines of action, different tactics all aimed at achieving the same goal, the recovery of the places wrongfully seized —this now refers now to the reprisals Cuenca taken against the occupied villages and their inhabitants. Nevertheless, there was no violence; Cuenca acted in every moment legitimating its decisions under the cover of justice and legality. In this sense, it was more a question of giving unequal treatment to those neighbouring villages which belonged to Cuenca but were temporarily or permanently segregated from its jurisdiction, submitting these villages to more costly or less beneficial conventions with the city than if they had really been under its jurisdiction.

In this manner, in September 1467, when the city council passed an ordinance ruling the customary rights of the mounted guards, chapter XVII stated that the guards were allowed to charge a "borra" on every herd grazing or crossing the ju-

83. AMC, LLAA, leg. 201, exp. 2, f. 3r-v.

84. AMC, LLAA, leg. 201, exp. 3, f. 6r-7v.

85. AMC, LLAA, leg. 205, exp. 2, f. 61r.

86. AMC, LLAA, leg. 188, exp. 5, f. 19r, 11v-12v, 4r-v; leg. 197, exp. 2, f. 46r, 49r-50r; leg. 198, exp. 3, f. 25v-26v, 27v, 34v-35r; leg. 201, exp. 1, f. 60r-62v.

risdiction of the city, except in the case of herds from Priego, Cañaveras and other lordships that had belonged to Cuenca and were now separated from it, in which case they were authorized to charge a "borra" on every 100 head⁸⁷. In April 1468, "don" Rodrigo Manrique, marshal of Castile, complained to Cuenca about his vassals from La Parra being prevented from buying provisions in the jurisdiction of the city, as they had always done⁸⁸. This "always" just meant to Cuenca a past when La Parra came under its jurisdiction. Now, outside it, there was no reason for these villagers to benefit from a condition they no longer held: citizenship of Cuenca.

For that reason, when in 1476 the queen and king ordered the city to lend them 400,000 "maravedis", Cuenca diligently collected the sum through a "repartimiento" distributed among the citizens of the city and the rural district, naturally including those villages still occupied or segregated, whose fiscal capacity was valued according to the tax rolls drawn up when they belonged to the city and not according to their current situation, less buoyant after so many years of conflict. This situation incited an intense debate with the occupied councils of the district of Altarejos (Valera de Yuso, Solera, El Olmeda and Belmontejo, and La Parrilla, bestowed on the earl of Paredes and marshal of Castile, "don" Rodrigo Manrique), that demanded a tax reduction and the recognition of the agreement they had reached and under which their fiscal capacity was evaluated. Cuenca paid no attention to them⁸⁹.

4. Conclusions

As we have observed throughout this work, any segregation of districts, villages, strongholds and vassals from the city's jurisdiction was a serious threat to Cuenca. In this sense, its level of commitment to the defence of the integrity of its rural district was very high, as was its ability to adopt a range of possible strategies and to adapt itself to every change in the situation, obtaining the highest possible profit from it. Maybe the best image of this commitment can be found in the level of public expenditure Cuenca assumed to achieve its goals.

Although full financial records itemizing the expenses made every year by the city and its rural district are not available, we have some annual accounts, presented by the town receiver for approval by the city council on St. Michael's day. This information is better from the later part of the century and this is more complete in these later years.

From the accounts presented on 9th November 1427, for the administrative year running from 29th September 1426 to 28th September 1427, we know that the city and the rural district had spent 54,273 "maravedis" on the defence of the districts of Arcas and Altarejos, representing 61.25% of the total expenditure in the rural dis-

87. AMC, LLAA, leg. 198, exp. 1, fols. 52v-54r. The usual borra implied the collection of one animal out of every 1,000 sheep, cows or rams.

88. AMC, LLAA, leg. 198, exp. 2, f. 21r.

89. AMC, LLAA, leg. 200, exp. 2, f. 7r-8r, 15v- 21r, 26v-27r.

tricts that year. This sum of money was spent on the bread, wine, barley, rye (plus the mules to carry it), sheep, rams, kids and lambs used to feed the more than 300 infantrymen from the rural district levied for the urban militia⁹⁰.

The accounts dated 12th October 1467 show that over the previous administrative year (1466/1467), 134,360 “maravedis” had been spent on the defence of its jurisdiction, representing 72.51% of the city’s total expenditure in that period⁹¹. Unlike in 1426/1427, when the city was involved in a number of military actions, in 1466/1467 it set up the static defence system for both the city and its jurisdiction, the money being spent basically on repairs to Arbeteta castle and the castle, walls and gates of Cuenca.

The next year, the accounts presented by the town receiver on 12th October 1468, for the 1467/1468 year, contain the expenditure of 179,410 “maravedis” on defence of the jurisdiction, this being 69.52% of the expenses for that year⁹². Again, most of the expenses were for the works on Arbeteta castle and in the city.

Although the balance of accounts for 1469 and 1470 have been lost, some other pieces of information are available to evaluate the city’s commitment to its defence. Thus, on 1st December 1469, Cuenca ordered its village councils of Buenache, Palomera and La Cierva to refund “don” Íñigo López de Mendoza, commander of Huélamo, the 11,500 “maravedis” he had spent to demolish the tower of Buenache—the city assumed the payment of another 1,500 “maravedis”. Even though this place belonged to the jurisdiction of Cuenca and the city had not ordered the demolition of the tower, it agreed to pay the expenses because the commander had been acting in every moment in defence of its jurisdiction⁹³. Earlier, on 14th September, Cuenca had asked the abbot of La Sey, canon of Cuenca, for a loan of 50,000 “maravedis” it needed for the defence of the city and the assault on Arbeteta castle and the village of Cañizares, occupied by Pero Carrillo de Albornoz, lord of Torralba and Beteta⁹⁴. On 28th February 1470, the city received a loan of another 50,000 “maravedis” from “don” Pedro de Barrientos, its keeper of the town, to pay the militia sent to recover the villages in the district of the Sierra seized by the Duke of Medinaceli⁹⁵.

Some years later, as the Catholic Kings gradually gained control of the throne and the reign, a reduction of the absolute and relative level of these expenditures was confirmed. Thus, the accounts for the 1477/1478 period presented on 10th October 1478 show that the city spent 76,110 “maravedis” defending its jurisdiction, this being 38.20% of the total expenses for that year⁹⁶. This time, although the city occasionally had to resort to the militia, a large part of this expenditure was transferred from armed defence of the jurisdiction to its judicial defence and, conse-

90. AMC, LLAA, leg. 187, exp. 3, f. 1r-42v.

91. AMC, LLAA, leg. 198, exp. 1, f. 65r-75v y 81r-83v.

92. AMC, LLAA, leg. 198, exp. 2, f. 38v-50v bis.

93. AMC, LLAA, leg. 198, exp. 3, f. 137r-v.

94. AMC, LLAA, leg. 198, exp. 3, f. 168v-169r.

95. AMC, LLAA, leg. 198, exp. 3, f. 160r.

96. AMC, LLAA, leg. 200, exp. 3, f. 20r-31v.



quently, it was made up of expense at the court and before the tribunals, including inquiries into the seized districts, and in the execution of the sentences restoring lands and districts. Nevertheless, despite this change in the expenditure, in 1483 only one proof in the villages of the Val de Viana, in the proceedings taken by the city against Lope Vázquez de Acuña for the wrongful seizure of these places, cost the city 11,490 "maravedis"⁹⁷, the city would still need to resort occasionally to military force, as happened in 1479, when the villages in its rural district were charged 57,190 "maravedis" to pay the militia for its protection⁹⁸.

97. AMC, LLAA, leg. 205, exp. 2, f. 24v-25r.

98. AMC, LLAA, leg. 200, exp. 3, f. 58r-59v.